

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

U.S.A. vs. Maurice Chapman

Docket No. 4:05-CR-88-1H

Petition for Action on Supervised Release

COMES NOW Dennis E. Albertson, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Maurice Chapman, who, upon an earlier plea of guilty to Possession of a Firearm by Felon, in violation of 18 U.S.C. §§ 922(g)(1) and 924, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on May 2, 2006, to the custody of the Bureau of Prisons for a term of 57 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
3. The defendant shall participate in a vocational training program as directed by the probation office.
4. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days.

Maurice Chapman was released from custody on January 25, 2010, at which time the term of supervised release commenced.

Supervision was modified via waiver on July 22, 2010, to convert a 2-day DROPS sanction to 16 hours of community service, based on the offender's inability to report to the New Hanover County Jail on June 19, 2010.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: Chapman completed a 5-day DROPS sanction on October 25, 2010, based on a positive drug test for cocaine and marijuana on September 10, 2010; however, transportation had to be provided by the probation officer to the New Hanover County Jail. The

offender has now tested positive for marijuana for a third time on November 24, 2010. Based on Chapman's regular employment and current participation in drug treatment, it is recommended he be afforded one final alternative sanction. Due to transportation issues, regular employment and significant delays in DROPS designation, it is recommended Chapman be sanctioned with 30 days home confinement with electronic monitoring in lieu of 10 consecutive days in jail. This measure will allow Chapman to keep his job and also restrict his freedom in the community when not at work and treatment.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 30 consecutive days. The defendant shall be restricted to his residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer.

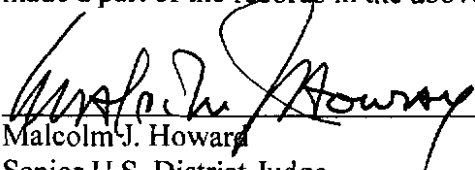
Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Dennis E. Albertson
Senior U.S. Probation Officer
413 Middle Street, Room 304
New Bern, NC 28560-4930
Phone: (252) 638-4944
Executed On: December 21, 2010

ORDER OF COURT

Considered and ordered this 21st day of Dec, 2010, and ordered filed and made a part of the records in the above case.


Malcolm J. Howard
Senior U.S. District Judge